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Report: Navy using outdated standards in cleanup at Hunters Point Shipyard



Two men play with their dogs in a newly developed park that overlooks dormant buildings in parcel G at the Hunters Point shipyard. (Kevin N. Hume/S.F. Examiner)

By Laura Waxmann on October 30, 2018 4:35 pm

Cleanup standards used by the Navy in the radioactive remediation at the Hunters Point Shipyard over the past decade were outdated and far less protective than current standards required by the U.S. Environmental Protection Agency, according to a new report released Tuesday.

The report is the third in a series of independent projects examining the shipyard cleanup conducted over a three-year-period by former researchers at the University of California at Santa Cruz, under the nonprofit Committee to Bridge the Gap.

The latest report claims that the standards used by the Navy violated a requirement to use current guidance set by the EPA under the Comprehensive Environmental Response, Compensation, and Liability Act, or CERCLA — the federal

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The Shipyard, a former U.S. Naval base historically used to clean ships subjected to atomic bomb explosions and as a storage and testing site for radioactive materials, was listed as a Superfund site in 1989.

A cleanup of the shipyard, which is slated to be redeveloped into more than 12,000 residential units, was spearheaded by Navy-contractor Tetra Tech from 2006 to 2016.

But whistleblowers began coming forward with allegations of malpractice and fraud in regard to the cleanup at least six years ago. Tetra Tech is now facing multiple lawsuits by current Shipyard residents claiming that they were misled over the extent of the contamination, among other things, and two managers face criminal charges.

Earlier this year, federal audits, including by the Navy, concluded that up to 97 percent of Tetra Tech's data may have been compromised or intentionally faked.

Per the report, the Navy has been using remediation standards governing contaminated buildings at the shipyard that are nearly half a century old, set in 1974 by the now-defunct Atomic Energy Commission. Far more restrictive standards were set under the EPA's Preliminary Remediation Goal Calculators in 2007.

The report also alleges that cleanup levels used by the Navy for contaminated soil were set in 1991 and are "much less protective" than current EPA requirements.

According to those calculations, the Navy "is allowing what would be the equivalent of dozens of chest X-rays a year, year after year," said Daniel Hirsch, the reports' lead author and retired director of the Program on Environmental and Nuclear Policy at UC Santa Cruz.

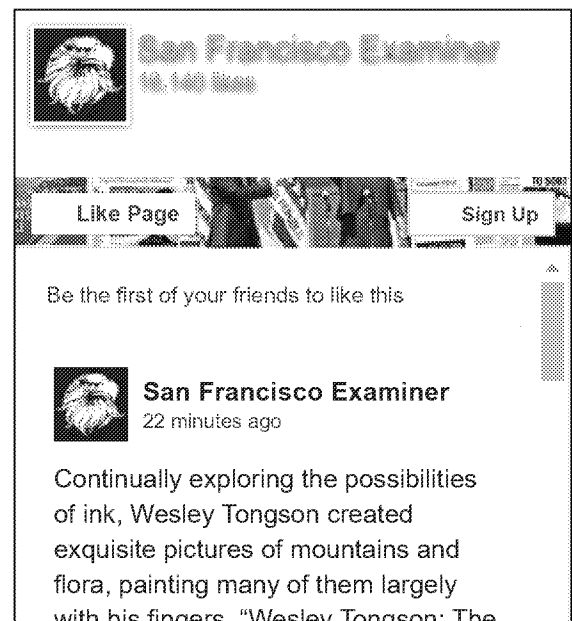
He added that the cancer risk from exposure that the Navy "says is allowable would be one out of every 380 people exposed."

"For the buildings, the Navy standards are thousands of times more lax and would result in the equivalent of essentially a chest X-ray a day for years, and a cancer risk of every 37th person getting cancer from the exposure," said Hirsch.

He pointed out that the extent of the radioactive contamination at the shipyard and the actual risk of exposure is unknown because there is "essentially not a single measurement that you can now rely upon."

"We know the measurements made by Tetra Tech to determine ... were fabricated," said Hirsch. "We now know the standards they were comparing the measurements to were also wrong. Even if Tetra Tech hadn't fabricated a single measurement, if the contamination were at the Navy's cleanup levels, the risk would be grossly unacceptable."

A spokesperson for the EPA declined to comment, stating that the agency has not yet reviewed the report.



However, the agency has repeatedly directed the Navy over the past year to evaluate its cleanups standards against the EPA guidelines in the Navy's Five-Year Review, a draft of which was released in July, as well as in current retesting plans for a number of sites at the Shipyard launched in the wake of revelations about potential fraud by Tetra Tech.

Those directives have been ignored to date, claims the report.

In a statement posted to a Navy website governing the shipyard cleanup on Tuesday, the Navy said that it's existing cleanup goals at the shipyard are some of the "most conservative" in its Base Realignment and Closure program, and have been "confirmed by expert review across multiple regulatory agencies to be protective of human health."

"While different methodologies can be used to calculate goals and risk, the Navy has consistently evaluated EPA risk criteria, leveraged their expert guidance in our calculations, and we work together toward the same goal of ensuring that the property is suitable for transfer and reuse by the City of San Francisco," said the Navy in the statement.

In regard to its five-year review process, the Navy said that it evaluates "past remedial actions to determine if they remain protective."

"Using current risk assessment procedures and guidance, past remedial action levels were confirmed to be protective in the 2018 five-year Review and are expected to be finalized in November 2018," according to the Navy statement.

The Navy also said that the EPA directives "were accepted by the Navy" and that the EPA's "Preliminary Remediation Goal calculator was used to verify protectiveness of Navy remedial goals."

Two prior reports issued earlier this month allege that up to 90 percent of the contaminated Hunters Point Shipyard was not sampled for radioactivity, according to documents governing the cleanup and historic use of the shipyard, and that at the sites that were sampled, no measurements were made for some 90 percent of radionuclides used at HPS.

All three reports are available here.

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